

Remarks

This paper is in response to the Office Action mailed October 26, 2004. Claims 1, 6-8, 13-15, 18, and 19 are being amended, and claim 5 is being cancelled. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and allowance of claims 1-4 and 6-19.

In the Office Action, new drawings in compliance with 37 CFR 1.121(d) are required in the present application because the drawings are asserted to fail to display all the details of the components and/or are hard to distinguish one component from another. Applicant respectfully objects to the requirement for new drawings. The Office Action does not provide any guidance as to which details, other than clamp 94, are not displayed and/or are hard to distinguish. However, Applicant is submitting replacement sheets containing new figures in an effort to comply with this requirement.

In the Office Action, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the reference sign "clamp 94 and/or a pinch valve." The phrase "clamp 94 and/or a pinch valve" does not appear anywhere in the present application. Moreover, reference 94 is clearly shown in Fig. 1 referencing "a clamp 94, such as a tubing pinch valve", as recited in paragraph [0031] of the present application. Accordingly, the drawings do comply with 37 CFR 1.84(p)(5). Therefore, withdrawal of the objection to the drawings is respectfully requested.

In the Office Action, claims 5-7, 13, 14, 18, and 19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claim 5 is considered vague and indefinite because "fluid flow adjusting means" is asserted to render the claim unclear. In addition, claim 6 is considered vague and indefinite because "said flow adjusting means is a tubing pinch valve clamped onto a tube in fluid communication with one of said passages" renders the claim unclear. The Office action asserts that there is no clear

indication of “clamp, 94 and/or a tubing pinch valve device of the multi-component fluid mix ratio check nozzle” in the drawings.

Claim 5 is being cancelled. Claims 6 and 7 are being amended to depend from claim 4 and delete any reference to a fluid flow adjusting means. As discussed above, a clamp 94, such as a tubing pinch valve, as recited in paragraph [0031] of the present application, is clearly shown in Fig. 1. Claims 13, 14, 18, and 19 are being amended to delete the phrase “fluid flow adjusting.” Accordingly, withdrawal of the rejection of claims 5-7, 13, 14, 18, and 19 is respectfully requested.

In the Office Action, claims 1-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Standlick (U.S. Pat. No. 4,901,888) in view of Capozzi et al. (U.S. Pat. No. 5,116,315). Standlick discloses a multi-component fluid dispensing gun. The dispensing gun includes a body 12 having a pair of fluid passageways 34, 36. Valve members 52 disposed in the passageways 34, 36 simultaneously open and close to allow fluid to flow through the passageways. The valve members 52 are adjustable to ensure the valve members open and close simultaneously (See col. 3, lines 45-47 of Standlick). However, contrary to the assertion in the Office Action, the valve members 52 cannot adjust the flow of fluid component flowing through one of the fluid component passageways 34 relative to the flow of another fluid component flowing through the other fluid component passageway 36.

Capozzi et al. teaches a multi-component fluid dispensing nozzle. Two hollow extensions extend upstream from the base and merge into a single hollow extension downstream of the base.

The present invention provides a multi-component fluid mix ratio check nozzle, a multi-component fluid dispensing gun, and kit that allows the discharge of unmixed components of a multi-component fluid to determine the mix ratio of the components and provides structure for adjusting the mix ratio. As discussed below, neither Standlick nor Capozzi et al. disclose or suggest any structure that allows the determination or adjustment of the mix ratio of components of a multi-component fluid.

Claim 1 of the present application claims a multi-component fluid mix ratio check

nozzle including a base engageable with a multi-component fluid dispensing gun, and at least two hollow extensions extending downstream from said base, wherein at least one of said extensions provides a passageway which dispenses at least one of the fluid components of the multi-component fluid without mixing with the other fluid components of the multi-component fluid in order to determine the mix ratio of the fluid components dispensed by the gun. The extensions guide the fluid components away from the gun, and maintain separation of the components in order to fill individual containers which allow the mix ration to be determined (See Paragraph [0029] of the present application).

As discussed above, the extensions disclosed in Capozzi et al. extend upstream from the base. As a result, the extensions disclosed in Capozzi et al. provide a passageway for receiving fluid components into the base, but cannot provide a passageway which dispenses a fluid component. Moreover, Capozzi et al. teaches mixing the fluid components upon being dispensed from the nozzle, and does not disclose or suggest a passageways formed through extensions which dispense at least one of the fluid components of the multi-component fluid without mixing with the other fluid components of the multi-component fluid in order to determine the mix ratio of the fluid components dispensed by the gun.

Claim 1 is being amended to more clearly claim a multi-component fluid mix ratio check nozzle having at least two hollow extensions extending downstream from a base, wherein at least one of said extensions provides a passageway which dispenses at least one of the fluid components of the multi-component fluid without mixing with the other fluid components of the multi-component fluid in order to determine the mix ratio of the fluid components dispensed by the gun. Neither Standlick nor Capozzi et al. disclose or suggest a multi-component fluid mix ratio check nozzle having at least two hollow extensions extending downstream from a base, wherein at least one of said extensions provides a passageway which dispenses at least one of the fluid components of the multi-component fluid without mixing with the other fluid components of the multi-component fluid in order to determine the mix ratio of the fluid components dispensed by the gun. Accordingly, claim 1 cannot be considered obvious over Standlick in view of Capozzi et al.

Claim 8 claims a multi-component fluid dispensing gun including a body defining at least two fluid component passageways therethrough, and means for adjusting the flow of fluid component flowing through one of the fluid component passageways relative to the flow of another fluid component flowing through another of the fluid flow passageways. As discussed above Standlick discloses a multi-component fluid dispensing gun having two fluid component passageways. Fluid flowing through the passageways of Standlick are simultaneously controlled by valve members. Standlick does not disclose or suggest any structure that provides for adjusting the flow of fluid component flowing through one of the fluid component passageways relative to the flow of another fluid component flowing through another of the fluid flow passageways. Capozzi et al. does not satisfy this deficiency.

Claim 8 is being amended to overcome the rejection under 35 U.S.C. 112, second paragraph. In view of the above remarks, Applicant respectfully asserts that claim 8 cannot be considered obvious over Standlick in view of Capozzi et al.

Claim 15 claims a kit for use with a multi-component fluid dispensing gun, the kit includes a multi-component fluid mix ratio check nozzle for engaging a multi-component fluid dispensing gun, and means for adjusting the flow of at least one of the fluid components dispensed from the gun to alter the mix ratio of the fluid components dispensed from the gun. The nozzle prevents fluid components dispensed from the gun from mixing to determine the mix ratio of the fluid components dispensed from the gun. As discussed above neither Standlick nor Capozzi et al. disclose or suggest any structure that provides for adjusting the flow of fluid component flowing through one of the fluid component passageways relative to the flow of another fluid component flowing through another of the fluid flow passageways. Moreover, the nozzle disclosed in Capozzi et al. dispenses the fluid components in close proximity to each other such that they begin mixing upon being dispensed, and cannot be considered to prevent fluid components dispensed from the gun from mixing to determine the mix ratio of the fluid components dispensed from the gun.

Claim 15 is being amended to more clearly recite the limitations of the nozzle. In view of the above and amendment to claim 15 and remarks, Applicant respectfully asserts

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that claim 15 cannot be considered obvious over Standlick in view of Capozzi et al.

Claim 5 is being cancelled. Claims 2, 3, 6, and 7 depend from claim 1, which as discussed above Applicant believes is allowable. Claims 9-14 depend from claim 8, which as discussed above Applicant believes is allowable. Finally, claims 16-19 depend from claim 15 which as discussed Applicant believes is allowable. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 1-19 under 35 U.S.C. 103(a).

In view of the above remarks and amendments to claims 1, 6-8, 13-15, 18, and 19, and cancellation of claim 5, Applicant respectfully asserts that claims 1-4 and 6-19 are allowable over the cited references. Accordingly, reconsideration and allowance of claims 1-4 and 6-19 are respectfully requested. No additional fees for filing this response are believed to be due. However, if such fees are due, the Commissioner is hereby authorized to charge them to deposit account no. 17-0055.

Respectfully submitted,



Daniel G. Radler  
Reg. No. 43,028  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202  
Tel. No. (414) 277-5749